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AMY J. HUNLEY USE ONLY
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DEPUTY

Representing ☒ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

**SUPERIOR COURT OF ARIZONA
IN COCHISE COUNTY**

DIV. VII

Roger Contreras
Name of Plaintiff or Petitioner

Case Number: DO200901390

Nancy Bourke
Name of Defendant or Respondent

Title: Motion to Unseal transcript
and Motion for Court to
pay for transcript

Explain what you want the Court to order. The Judge may grant, deny, or change your request (or "motion"). A ruling will be issued by "minute entry."

Terri Jo Neff comes before the Court to request that the August 9, 2019 Order (sealing transcripts) in Contreras v Bourke (DO200901390) be lifted for the limited purpose of allowing Revolutionary Text (RevoText) to release the transcript of the August 9, 2019 hearing about public access to the then-ongoing trial in this case.

Neff, who as the court knows is a journalist, previously agreed to the Court's requirement that she not write about what she heard in various proceedings in the case, in exchange for being allowed to remain in the courtroom. She confirmed her continued agreement on August 8, 2019 (day two of the Contreras v Bourke trial).

Neff was also present in the courtroom August 9, 2019 in her capacity as a journalist to report on the contested hearing about public access to day three of the trial. However, Neff is now faced with possibly violating two orders issued by

Judge Peterson (initially August 9, 2019 and as amended August 15, 2019).

"The Court has ordered that no person or entity, including the parties, publish, publicize and/or otherwise disseminate in any forum by any medium (including but not limited to the Internet) including but not limited to newspapers (either paper or electronic), blogs, Twitter, Facebook, Instagram and/or any other social media platforms any matter pertaining to the parties and/or (THE CHILD)." (child's initials redacted by Neff)

According to the plain language of Judge Peterson's orders, **"no person...may publish...any matters pertaining to the parties..."** This means Neff's reporting of the public access hearing would violate the order if she includes the parties' names, or even their positions as to the public access issue. She could also run afoul with the Court if she identifies the parties other than by name (i.e. a Superior Court judicial candidate and his ex-wife).

Therefore, Neff wishes to pursue a Special Action to the Arizona Court of Appeals seeking relief from the Court's overly broad and unconstitutionally crafted order. Neff also contends there are significant differences between Judge Peterson's verbal comments from the bench compared to the orders he subsequently signed.

But to do so, Neff requires access to the transcript, as it's the official record of the proceeding. However, Judge Peterson sealed the transcript via another order on August. 9, 2019 and as a result, RevoText cannot release the transcript without an appropriate order lifting the seal.

Further, as the need for this transcript results directly from the Court's own actions,

and as there is an active gag order preventing the parties from speaking with the media, the Court -not Neff- should bear any cost due RevoText for the transcript.

Neff respectfully asks that any hearing on this matter be set after September 3, 2019.

Three large, wavy, vertical lines are drawn across the page, likely representing redacted content or a placeholder for a signature. Below these lines are several horizontal lines for additional text or a signature.

Today's Date: 8/19/19

Dominic Neff
Your Signature

**This page must be completed and attached
to the LAST page of your Motion/Request**

☒ I filed the ORIGINAL of the attached document(s) with the Clerk of the Superior Court in Cochise County: Aug 19 2019 (in SV)
Month Date Year

☒ I mailed/delivered a COPY of the attached document(s) to the Judicial Officer assigned to my case, Judge (or Commissioner): Judge Michael Peterson, on Aug 19 2019
Month Date Year (Judicial Officer assigned to your case) via email also to Julie Spencee

☒ I mailed/delivered a COPY of the attached document(s) on this date:
Aug 19 2019
Month Date Year
To: Nancy Bourke, Pro Per
TO: Danette Pahl, for Contreras
via email also TO: Shawnee Serrano, Court Admin
TO: Joan Sacramento, for child
(You must mail a copy of all documents to the other side and his/her lawyer)

N/A

Name of Other Side

Name of Other Side's Lawyer

Address

Lawyer's Address

City, State, Zip

City, State, Zip

By signing below, I state to the Court, under penalty of law, that the information stated on these pages is true and correct to the best of my knowledge and belief.

I further state that I have filed/mailed the attached document(s) as shown above. I understand that if I do not file/mail the attached document(s) as shown above, the judge in my case will not read my request/motion.

[Signature]
Your signature